

## **REMARKS**

Claims 1, 3, 4 and 6-15 are now pending in the present invention. Claims 2 and 5 have been cancelled; the Specification and Claims 1 and 4 have been amended; and Claims 8-15 are new. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

Basis for the amendments can be found throughout the specification, claims and drawings as originally filed.

## **SPECIFICATION**

No objection was made to the Specification. However, it has been amended to facilitate cross-referencing between the Specification and Drawings. No new matter has been added.

## **REJECTION UNDER 35 U.S.C. § 102**

**Claims 1, 3, 4, 6, and 7** are rejected under 35 U.S.C. § 102(b) as being anticipated by ***Susa et al.*** This rejection is respectfully traversed.

Claims 1 and 4 have been amended to include the limitations of Claims 2 and 5, respectively, and to further define the front end panel as having horizontally extending beams and that the panel is open towards the rear end of the vehicle. In addition, the fan unit has been defined as being fixed directly to the front end panel and the fan unit is defined as being inserted into the front end structure from the rear end of the vehicle. This provides the advantage that the radiator, the heat exchanger and the fan unit can be

removed from the vehicle without having to remove the entire structure including the front end panel.

**Susa et al.** discloses a condenser 200 which is assembled to tubular portion 2 of mounting shroud 1. The mounting shroud 1 is attached to upper support 302 and front cross member 304. The fan unit 305-307 is attached to the condenser 200 and not directly to the front end panel as defined in amended Claims 1 and 4. In addition, the radiator 100 of **Susa et al.** is not attached to the mounting shroud 1. As is clearly indicated in Figure 13, radiator 1 is attached to upper support 302 and to a lower bracket which extends from front cross member 304. This structure complicates the removal of the components from the vehicle, as well as requiring the fan unit to be inserted from the front of the vehicle and not the rear.

Thus, Applicants believe Claims 1 and 4, as amended, patentably distinguish over the art of record. Likewise, Claim 3, which depends from Claim 1, and Claims 6 and 7, which depend from Claim 4, are also believed to patentably distinguish over the art of record.

Reconsideration of the rejection is respectfully requested.

#### **REJECTION UNDER 35 U.S.C. § 103**

**Claims 2 and 5** are rejected under 35 U.S.C. § 103(a) as being unpatentable over **Susa et al.** This rejection is respectfully traversed.

Claims 2 and 5 have been cancelled and their limitations added to Claims 1 and 4, respectively.

Reconsideration of the rejection is respectfully requested.

**Alternately, Claims 1-6** are rejected under 35 U.S.C. § 103(a) as being unpatentable over **Holka**. This rejection is respectfully traversed.

**Holka** discloses a cooling duct 24 which holds a heat exchanger assembly 14 which is open to the front of the vehicle and to the sides of the vehicle, but which is not open to the rear of the vehicle as is now defined in amended Claims 1 and 4. In fact, **Holka** teaches away from having the cooling duct 24 open to the rear of the vehicle because the purpose of **Holka** is to direct the flow of air exiting the heat exchanger assembly away from the vehicle's engine.

Thus, Applicants believe Claims 1 and 4, as amended, patentably distinguish over the art of record. Likewise, Claim 3, which depends from Claim 1, and Claim 6, which depends from Claim 4, are also believed to patentably distinguish over the art of record.

Reconsideration of the rejection is respectfully requested.

#### **NEW CLAIMS**

New Claims 8-15 are dependent claims which depend from Claim 1 or 4 and are, thus, believed to be allowable.

#### **CONCLUSION**


It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt

and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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By: \_\_\_\_\_

  
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